



Tennessee Board of Dentistry

Newsletter

Winter 2003

A regulatory agency of the State of Tennessee

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Disciplinary Action from September, 2002 Meeting



The Board, at it's meeting in September of 2002, took the following disciplinary actions:

Adams, John David C. – License No. DS 4548

Unprofessional conduct, unlawful practice of dentistry without a current license, making false or misleading statements or representations, or being guilty of fraud or deceit in the practice of dentistry, and continuing to practice without renewing his license. Respondent was ordered to pay \$5,000, refund the money paid to him by the patient before reinstating his license, and he was ordered to pay costs.

Barnett, Lisa – License No. RDA 4681

Unprofessional conduct, failure to timely inform the Board of address changes, failure to timely renew registration, and practicing without a current registration. Respondent was reprimanded.

Beruk, Djuana – License No. DS 6892

Respondent's license was voluntarily surrendered due to action taken against her license by the Kentucky Board of Dentistry. Respondent was also ordered to pay costs.

Cawthorn, Leketa – License No. RDA 5840

Unprofessional conduct, habitual intoxication or personal misuse of any drugs, and making or signing any certificate that is known to be false at the time one makes or signs such certificate. Respondent's license was revoked and she was ordered to pay \$3,000 and pay costs.

Gann, Pamela Marie – License No. RDA 638

Unprofessional conduct, failure to timely renew, and practicing without a current registration. Respondent was reprimanded.

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Rule Changes

Fees for Reinstatement of licensure/registration increased effective November 4, 2002. The new fee for anyone who has failed to renew their license/registration is as follows:

Dentist	\$500.00
Dental Hygienist	\$200.00
Dental Assistant	\$100.00

The Reinstatement fee will be in addition to current and all past due renewal fees. All licensees need to be aware of the expiration date of their license and submit a completed renewal application and fees (or renew online at www.TennesseeAnytime.org) before the expiration date to avoid the necessity of paying additional fees.

Also, there is now a rule regarding teeth whitening. Rule 0460-1-.10 says, "All teeth whitening formulations, except those sold over-the-counter, shall be prescribed and dispensed by a licensed dentist. Licensed dental hygienists or registered dental assistants are authorized to apply teeth whitening formulations, but only under the direct supervision of a licensed dentist."

The Anesthesia/Sedation rule will become effective May 4, 2003. Copies are available in the "Noteworthy" section at the Board's web site. This change will affect more licensed dentist than the previous Anesthesia/Sedation rule.

A copy of the effective rules, as amended, is available in the "Rules and Regulations" section of the Board's web site. 🦷

Position Statements



At the November 21, 2002 Board Meeting, the Board of Dentistry adopted two position statements that affect **Oral and Maxillofacial Surgeons**. One regards the definition of "associated structures" and the other defines the specialty of oral and maxillofacial surgery.

Copies of the position statements are available in the "Noteworthy" section at the Board's web site. 🦷



Continuing Education Changes for 2003

During the 2002 Legislative Session, the continuing education (CE) requirements were changed in the Dental Practice Act. The Board has approved rules to implement these changes, but they are not effective yet. However, the Practice Act changes are effective January, 2003. The changes approved by the Board are as follows:

- Beginning January 1, 2003, each licensed dentist must successfully complete 40 hours of approved CE during the two calendar years (January 1st of an odd-numbered year through December 31st of the following even-numbered year). Two hours of the 40 hours are to be in the area of chemical dependency education.
- Beginning January 1, 2003, each licensed dental hygienist must successfully complete 30 hours of approved CE during the two calendar years (January 1st of an odd-numbered year through December 31st of the following even-numbered year). Two hours of the 30 hours are to be in the area of chemical dependency education.
- Every subsequent CE cycle will run from January of an odd-numbered year to December of an even-numbered year.
- New licensees are exempt from the CE requirements during their initial two calendar year (January 1st of an odd-numbered year – December 31st of an even-numbered year) cycle starting with an odd-numbered year if the license was issued during an odd-numbered year **or** with the preceding odd-numbered year if the licensee was issued in an even-numbered year.

More information regarding these changes and changes to the CE requirements for Registered Dental Assistants will be published after the rule changes are effective. **Since these changes are not effective, they are only being published as a notice of what the Board of Dentistry intends to require.**

A copy of the rules, as amended, will be available after the effective date by going to the "Rules and Regulations" section at the Board's web site. 🦷

Instructions for Accessing the Board's Web Site

- ▶ www.TennesseeAnytime.org
- ▶ Government
- ▶ Select "Executive Branch"
- ▶ Executive Branch Departments, Boards, and Commissions
- ▶ Scroll to "Department of Health" and click!
- ▶ Under "Health Care Licensure and Regulation", select "Health Professionals/Licensing Boards"
- ▶ Select "Board of Dentistry"



Practical Dental Assistants

Practical dental assistants are auxiliary employees who perform **non-invasive, supportive, chairside procedures under the direct supervision and full responsibility of the dentist** or is a dental assistant student in an educational institution accredited by the American Dental Association (ADA).

Rule 0460-4-.01(b) governs the scope of practice for practical dental assistants. They are not permitted to perform procedures allowed to be assigned or delegated to registered dental assistants or licensed dental hygienists.

Practical dental assistants actively enrolled in either the Board-approved dental assisting program or a program accredited by the ADA are allowed by Rule 0460-4-.01(3) to concurrently perform procedures otherwise lawfully permitted to be performed by registered dental assistants for the purpose of obtaining the clinical experience necessary to complete such program.

For example, practical dental assistants are allowed to take x-rays in the dental office once they start studying the radiology section in the program, which is concurrently performing radiology procedures for the clinical experience. Prior to obtaining the educational background practical dental assistant may not perform any clinical or radiology procedure.

The procedures assignable or delegable to registered dental assistants are not to be performed by practical dental assistants **before** entering the program **or after** completion of the program until registration is issued by the Board. 🦷



Dental Records

The maintenance and release of dental records are governed by T.C.A. § 63-2-101 – 102 and Rule 0460-2-.11(5). The records must be maintained in such a manner that a subsequent treating dentist can readily ascertain the treatment provided. The records at a minimum should include:

- ✓ A charting of the patient's teeth conditions.
- ✓ Dates of performance of services.
- ✓ Concise medical history.
- ✓ Notation of dates, types and amounts of pharmaceuticals prescribed or dispensed.
- ✓ Readable x-rays when required for services rendered.

The release of dental records requires that either a copy or summary of the patient's dental records be furnished to the patient or the patient's authorized representative within 10 working days upon request in writing.

The patient or patient's authorized representative may be charged for the costs of copying and mailing the records. Refer to T.C.A. § 63-2-102 for the cost and mailing requirements. 🦷

Scope of Practice For Licensed Dental Hygienists


At the November 21, 2002 Board Meeting, the Board of Dentistry approved a revised scope of practice for licensed dental hygienist. These rules have not become effective yet, but these are the procedures that the Board considers as delegable or assignable procedures for licensed dental hygienist:

- (a) The removal of all hard and soft deposits and stains from the human teeth to the depth of the gingival sulcus, polishing natural and restored surfaces of teeth, performing clinical examination of teeth and surrounding tissues for diagnosis by the dentist, and performing other such procedures as may be delegated by the dentist consistent with the provisions of T.C.A. Chapter 5, Title 63.
- (b) Prophylaxis.
- (c) The application of sealants.
- (d) The exposure of radiographs including digital, of the mouth, gums, jaws, teeth or any portion thereof for dental diagnosis.
- (e) The application of topical fluorides.
- (f) The instruction of patient in dietary principles.
- (g) Demonstration of oral hygiene procedures and oral health care regimen.
- (h) The taking and recording of a patient's blood pressure, pulse, temperature, and medical history and charting of oral conditions.
- (i) The serving as chairside assistant.
- (j) The maintenance of instrument and operatory infection control
- (k) The preparation of instrument trays
- (l) The placement and removal of matrices for restoration.
- (m) The removal of cement from restorations and bands.
- (n) The removal of sutures and staples.
- (o) The fabrication, placement and removal of temporary restorations.
- (p) The placement and removal of rubber dam.
- (q) The placement and removal of socket dressing.
- (r) The placement and removal of periodontal dressings.
- (s) The taking of dental plaque smears.
- (t) The taking of alginate impressions for any purpose other than permanent restorations.
- (u) The holding and removal of impression material after placement in the patient's mouth by the dentist.
- (v) The removal of ligature and arch wires.
- (w) Bending, selecting and pre-sizing arch wires and place arch wires after final adjustment and approval by the dentist.
- (x) The selection, prefittting, cementation, curing, and removing of orthodontic bands or brackets.
- (y) The placement and removal of pre-treatment separators.
- (z) Removal of loose or broken bands or brackets.
- (aa) Placement of springs on wires.
- (bb) Placement of hooks on brackets.
- (cc) Placement of chain elastics on brackets.
- (dd) Ligation of arch wires to brackets.
- (ee) Packing and removing retraction cord, with or without vasoactive chemicals, for restorative dental procedures.

- (ff) Removal of excess cement from the surfaces of the teeth.
- (gg) The placement of amalgam in prepared cavities for condensation by the dentist.
- (hh) Place cavity bases and liners.
- (ii) Sulcular irrigation with antimicrobial agents only when prescribed by the employer/supervising dentist.
- (jj) Application of desensitizing agents.
- (kk) Apply topical anesthetic and anti-inflammatory agents.
- (ll) Placement of antibiotic-treated materials, if prescribed.
- (mm) Application of tooth conditioners for bonding.
- (nn) Select and pre-fit stainless steel crowns or other pre-formed crowns for insertion by the dentist.
- (oo) Take oral cytologic smears
- (pp) Perform pulp testing.
- (qq) Packing of pulpotomy paste.
- (rr) Drying canals with absorbent paper points.
- (ss) Call in prescriptions to the pharmacist as instructed by the employer/dentist.
- (tt) Fitting, adjusting and cementation of correctional appliances.
- (uu) Wound care as directed.
- (vv) Irrigate extraction site.
- (ww) Place exposure chains and attachments.
- (xx) Other duties specifically approved by the Board at a regularly scheduled meeting of the Board.

Prohibited Procedures—In addition to the duties defined as the practice of dentistry by T.C.A. § 63-5-108, licensed dental hygienists are not permitted to perform the following:

- (a) Comprehensive examination, diagnosis and treatment planning;
- (b) Surgical or cutting procedures on hard or soft tissue, including laser, air abrasion or micro-abrasion procedures, except curettage or root planing;
- (c) Fitting, adjusting, and placement of prosthodontics appliances;
- (d) Issuance of prescription medication or medications not authorized by Rule 0460-3-.09 (1), or work authorizations;
- (e) Performance of direct pulp capping, pulpotomy, and other endodontic procedures not authorized by T.C.A. § 63-5-108(b) or Rule 0460-3-.09 (1);
- (f) Approve the final occlusion;
- (g) Placement of sutures;
- (h) Administration of local anesthesia, conscious sedation, or general anesthesia;
- (i) Administration or monitoring of nitrous oxide without certification as provided in Rule 0460-3-.06;
- (j) Use of a high-speed handpiece intraorally;
- (k) Utilization of laser equipment and technology in the course of the performance of their duties unless specifically authorized by T.C.A. § 63-5-108(b) or Rule 0640-3-.09 (1). Only dentists licensed by the Tennessee Board of Dentistry shall be authorized to perform procedures involving laser technology.

NOTE: The above information is only part of the rule changes approved by the Board. Once the rules are effective, the complete revised version will be available on the Board's web site. 

Scope of Practice Registered Dental Assistants

At the November 21, 2002 Board Meeting, the Board of Dentistry approved a revised scope of practice for registered dental assistants. These rules have not become effective yet, but these are the procedures that the Board considers as delegable or assignable procedures for registered dental assistants:


- (a) The exposure of radiographs including digital, of the mouth, gums, jaws, teeth or any portion thereof for dental diagnosis.
- (b) The application of topical fluorides.
- (c) The instruction of patient in dietary principles.
- (d) The taking and recording of a patient's blood pressure, pulse, temperature, and medical history, and charting of oral conditions.
- (e) The maintenance of instrument and operatory infection control
- (f) The preparation of instrument trays
- (g) The placement and removal of matrices for restoration.
- (h) The removal of cement from restorations and bands.
- (i) The removal of sutures and staples.
- (j) The fabrication, placement and removal of temporary restorations.
- (k) The placement and removal of rubber dam.
- (l) The placement and removal of socket dressing.
- (m) The placement and removal of periodontal dressings.
- (n) The taking of dental plaque smears.
- (o) The taking of alginate impressions for any purpose other than permanent restorations.
- (p) The holding and removal of impression material after placement in the patient's mouth by the dentist.
- (q) The removal of ligature and arch wires.
- (r) Bending, selecting and pre-sizing arch wires and place arch wires after final adjustment and approval by the dentist.
- (s) The selection, prefitting, cementation, curing, and removing of orthodontic bands or brackets.
- (t) Placement and removal of pre-treatment separators.
- (u) Removal of loose or broken bands or brackets.
- (v) Placement of springs on wires.
- (w) Placement of hooks on brackets.
- (x) Placement of chain elastics on brackets.
- (y) Ligation of arch wires to brackets.
- (z) Packing and removing retraction cord, with or without vasoactive chemicals, for restorative dental procedures.
- (aa) Removal of cement excess from supragingival surface of teeth by hand instruments only.
- (bb) The placement of amalgam in prepared cavities for condensation by the dentist.
- (cc) The application of topical anesthetics.
- (dd) The application of desensitizing agents.
- (ee) Placement of cavity bases and liners.
- (ff) Application of tooth conditioners for bonding.
- (gg) Select and pre-fit stainless steel crowns or other pre-formed crowns for insertion by the dentist.

- (hh) Take oral cytologic smears.
- (ii) Perform pulp testing.
- (jj) Packing of pulpotomy paste.
- (kk) Drying canals with absorbent paper points.
- (ll) Demonstration of oral hygiene procedures and oral health care regimen
- (mm) Drying canals with absorbent paper points.
- (nn) Call in prescriptions to the pharmacist as instructed by the employer/dentist.
- (oo) Fitting, adjusting and cementation of correctional appliances.
- (pp) Wound care as directed.
- (qq) Irrigate extraction site.
- (rr) Place exposure chains and attachments.
- (ss) Other duties specifically approved by the Board at a regularly scheduled meeting of the Board.

Prohibited Procedures—In addition to the duties defined as the practice of dentistry or dental hygiene by T.C.A. § 63-5-108, registered dental assistants are not permitted to perform the following:

- (a) Examination, diagnosis and treatment planning;
- (b) Surgical or cutting procedures on hard or soft tissue, including laser, air abrasion or micro-abrasion procedures, including curettage or root planing;
- (c) Fitting, adjusting, and placement of prosthodontics appliances;
- (d) Issuance of prescription medications or medications not authorized by T.C.A. § 63-5-108(b) or Rule 0460-4-.08 (3), or work authorizations;
- (e) Performance of direct pulp capping, pulpotomy, and other endodontic procedures not authorized by T.C.A. § 63-5-108(b) or Rule 0460-4-.08 (3);
- (f) Approve the final occlusion;
- (g) Placement of sutures;
- (h) Administration of local anesthesia, nitrous oxide, conscious sedation, or general anesthesia;
- (i) Monitoring of nitrous oxide without certification as provided in Rule 0460-4-.05 and 0460-4-.08 (2);
- (j) Coronal polishing without certification as provided in Rule 0460-4-.04 and 0460-4-.08 (2);
- (k) Application of sealants without certification as provided by Rule 0460-4-.09 and 0460-4-.08 (2);
- (l) Use of a high-speed handpiece intraorally;
- (m) Utilization of laser equipment and technology in the course of the performance of their duties unless specifically authorized by T.C.A. § 63-5-108(b) or Rule 0460-4-.08 (3). Only dentists licensed by the Tennessee Board of Dentistry shall be authorized to perform procedures involving laser technology.

Dental assistants who perform procedures not delegable pursuant to this rule, or who perform procedures specifically prohibited by T.C.A. § 63-5-108, or who perform procedures without the direct supervision of a dentist, or who perform coronal polishing, application of sealants or nitrous oxide monitoring without the applicable certification are in violation of the rules governing those procedures, may be subject to disciplinary action pursuant to T.C.A. § 63-5-116 (b).

NOTE: The above information is only part of the rule changes approved by the Board. Once the rules are effective, the complete revised version will be available on the Board's web site. 

DISCIPLINARY ACTIONS

Continued from page 1

Harr, David Wayne – License No. DS 7678

Permitted an unlicensed person to perform services or work which can be done legally only by persons licensed to practice as a registered dental assistant. Respondent was ordered to publish an article to increase awareness of the importance of staying informed and the employers' responsibility in understanding and knowing the statutes and rules governing their practice.

Harris, Jr., Dan D. – License No. DS 3437

Unprofessional conduct, permitting directly or indirectly an unlicensed person to perform services or work which can be done legally only by persons licensed to practice dentistry or dental hygiene or as a registered dental assistant, assigning tasks and procedures to a non-licensed dental hygienist. Respondent was reprimanded.

Hill, William F. – License No. DS 5053

Unprofessional conduct, permitting directly or indirectly an unlicensed person to perform services or work which can be done legally only by persons licensed to practice dentistry or dental hygiene or as a registered dental assistant, assigning tasks and procedures to a non-registered dental assistant. Respondent was reprimanded.

Johnston, Edy – License No. DH 3437

Unprofessional conduct, failure to timely renew, and practicing without a current license. Respondent was reprimanded.

Massengale, Jr., Lendell – License No. DS 3916

Unprofessional conduct, making false or misleading statements or representations, and submitting a signed renewal form which was untrue. Respondent was reprimanded.

Meyers, Donald E. – License No. DS 2161

Unprofessional conduct, dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, violations of Rule 0460-2-.11(2) governing the prescribing and dispensing of pharmaceuticals. Respondent's license was placed on probation and he was ordered to pay \$2,000 and complete a course entitled "*Prescribing Scheduled Drugs: Common Problems and Pitfalls*" sponsored by Vanderbilt Medical Center.

Moulds, Jr., Dan D. – License No. DS 4609

Unprofessional conduct, and practicing dentistry without a current license. Respondent was reprimanded.

Pearson, Donna – License No. DH 3692

Unprofessional conduct, conviction of a felony, and failure to disclose the conviction of any criminal law violation of any country, state, or municipality. Respondent's license was placed on probation for three years and she was ordered to pay \$4,000 and costs.

Steele, Robyn H. – License No. RDA 3764

Unprofessional conduct, performing duties outside to scope of practice of a dental assistant, failure to properly work under supervision and failure to work within the scope of a dental assistant's authority. Respondent was reprimanded.

Stewart, Susan – License No. RDA 3768

Unprofessional conduct, performing duties outside to scope of practice of a dental assistant, failure to properly work under supervision and failure to work within the scope of a dental assistant's authority. Respondent was reprimanded.

Tranbarger, Tammy – License No. RDA 3514

Unprofessional conduct, habitual intoxication or personal misuse of any drugs, making or signing any certificate that is known to be false at the time one makes or signs such certificate, and engaging in the practice of a registered dental assistant when mentally or physically unable to safely do so. Respondent's license was revoked.

Watts, Sam L. – License No. DS 3115

Unprofessional conduct, permitting directly or indirectly an unlicensed person to perform services or work which can be done legally only by persons licensed to practice dentistry, dental hygiene, or as a registered dental assistant, assigning tasks and procedures to a non-registered dental assistant. Respondent was reprimanded. 🦷



Timeframes

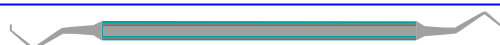
To process all applications:

Dentist and Dental Hygienist:	4 – 6 weeks
Dental Assistants:	
Approval to take the exam	4 – 6 weeks
The Board to receive scores	3 – 4 weeks
Processing of scores	5 – 10 days
No exam is required (CDA's)	4 – 6 weeks
Reinstate/Reactivate:	4 – 6 weeks

To process renewal applications:

Online Renewals:	4 – 7 days
Mailed Renewals:	7 – 12 days

NOTE: Any application or renewal which is missing the required documentation, (i.e. the completed application, the Practitioner Profile [for dentist only], or the required fees) will be sent a letter requesting the missing information. **All applications and renewals will not be processed for approval or the examination until they are complete.**



Tennessee Board of Dentistry
First Floor, Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247-1010



Tennessee Board of Dentistry Board Members as of February 15, 2003

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Memphis

Marlene S. Warren Fullilove, R.D.H.
Vice-President
Memphis

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